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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,266	07/11/2003	Arto Suomi	944-001.113	3940
4955	7590	04/10/2006	EXAMINER PHAN, TRI H	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,266

Applicant(s)

SUOMI, ARTO

Examiner

Tri H. Phan

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on September 23rd, 2005. New claims 11-12 are added. Claims 1-12 are now pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suumäki et al.** (U.S.6,590,905).

- In regard to claims 1 and 5, Suumäki discloses, the *means* (see claim 5) *and method* (see claim 1) *for use by a user equipment 'UE' device ('mobile station' in figure 2A) enabled for communication with other telecommunication devices via a network including a radio access network and providing general packet radio service 'GPRS' (For example see figures 1A and 2A), the method for use by the UE device in responding to a message from the network indicating a change in a service access point identifier 'SAPI' connection from an old SAPI to a new SAPI ('XID renegotiation request'; col. 2, lines 17-24; wherein, although Suumäki does not explicitly disclose about the "SAPF", it is obvious that changing different parameters for different*

Art Unit: 2616

compression algorithms in the 'XID/PDCP negotiation' as disclosed in col. 1, lines 55-59; which use different connections with different SAPIs, e.g. *"old and new SAPIs"*, when the connections are reset, e.g. LLC, as disclosed in col. 2, lines 17-24), *the method characterized by: a step in which the UE device sets a timer for a period of time* ('negotiation timer' in figure 9; where the receiver starts a negotiation timer, e.g. *"UE device sets a timer"*, as disclosed in col. 6, lines 14-17) *in response to an indication from the network of a change from the old SAPI to the new SAPI* ('change indicator C-bit' in the XID/PDCP negotiation request of figure 7; col. 5, lines 20-21, 47-50; wherein the originator, e.g. *"network side"*, requests for the XID/PDCP parameter negotiation as disclosed in col. 6, lines 1-6); *and a step in which the UE device terminates the old SAPI* (see steps 520 and 524 in figure 9 where the incoming packet with old parameters is discarded, e.g. *"terminates the old SAPI"*).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to provide the old/new SAPI in the Suumäki's negotiation processes, with the motivation being to provide different connection end point identifiers in the LLC layer for different connections with different parameters disclosed in col. 3, lines 11-13; in order to change parameters during a connection through the XID/PDCP negotiation processes as disclosed in col. 3, lines 1-5.

- Regarding claims 2 and 6, in addition to features in base claims 1 and 5 (see rationales pertaining the rejection of base claims 1 and 5 discussed above), Suumäki further discloses, *wherein in the step of terminating the old SAPI, the old SAPI is not terminated until after the period of time expires* (see steps 512 and 524 in figure 9), *wherein the period of time is*

Art Unit: 2616

predetermined to be long enough for the network to send to the new SAPI a message providing compressions for the new SAPI (see steps 420 through step 422 in figure 8; wherein, with the retransmission timer in the originator is not expired in step 406-408 in figure 8, the originator send the future packets with the C-bit flipped and using new parameters, e.g. "new SAPP"; and where the new parameter defines the new compression algorithm as disclosed in col. 1, lines 55-59); the method thereby providing that for the period of time set on the timer (see steps 506 and 512 in figure 9), the UE device keeps the old SAPI active and handles messages received on both the old SAPI and the new SAPI (see steps 516, 518, 520 and 522 in figure 9; where the flipped C-bit is used in determining to use with the old or new parameters, e.g. "handles messages received on both the old SAPI and the new SAPP").

- In regard to claim 3, in addition to features in base claim 1 (see rationales pertaining the rejection of base claim 1 discussed above), Suumäki discloses the means (claim 5) and method (claim 1) as discussed above in part 3 above of this office action; but fails to explicitly disclose the timer period is set to *approximately 15 seconds*"; however, it is obvious that setting the time period for the timer is depended from system to system and system engineering choice as matter of choices.

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to implement the setting timer period to *"approximately 15 seconds"* in Suumäki's timer period, with the motivation being to provide the 'minimum time' for the new parameters being to take effect for use as disclosed in col. 5, lines 59-62, as system engineering matter of choices.

- Regarding claim 4, in addition to features in base claim 1 (see rationales pertaining the rejection of base claim 1 discussed above), Suumäki further discloses about *the computer program product comprising: a computer readable storage structure* ('memory' in the receiver device of figure 12) *embodying computer program code thereon for execution by a computer processor* ('control' in the receiver device of figure 12) *in a UE device* ('receiver device' in figure 12), *with said computer program code characterized in that it includes instructions for performing the steps of the method of claim 1* (wherein, it is obvious, the "*computer program code*" is program code for the control to control and perform all the 'processes' as disclosed in figures 9 and 11, through the means in the receiver device of figure 12).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to provide a program code in the Suumäki's processes system for controlling and performing all the processes, with the motivation being to provide means for changing XID/PDCP parameters during connection between the receiver "*UE device*" and originator "*network side*" in the GPRS communication system through the processes as disclosed in figures 8-11.

- In regard to claim 7, in addition to features in base claim 5 (see rationales pertaining the rejection of base claim 5 discussed above), Suumäki further discloses about *a telecommunication system, comprising a user equipment 'UE' device* ('mobile station' in figure 2A, 'receiver device' in figure 12) *and a network including a radio access network and providing GPRS* (figures 1A and 2A), *wherein the UE device is as claimed in claim 5.*

Art Unit: 2616

- Regarding claims 8-9, Suumäki discloses, the *method* (see claim 8) *and the telecommunication network* (see claim 9) *adapted for communicating with a user equipment 'UE' device* ('mobile station' in figure 2A), *the network including a radio access network and providing general packet radio service 'GPRS'* (For example see figures 1A and 2A), *the telecommunication network adapted for indicating to the UE device a change in a service access point identifier 'SAPI' connection from an old SAPI to a new SAPI* ('XID renegotiation request'; col. 2, lines 17-24; wherein, although Suumäki does not explicitly disclose about the "SAPI", it is obvious that changing different parameters for different compression algorithms in the 'XID/PDCP negotiation' as disclosed in col. 1, lines 55-59; which use different connections with different SAPIs, e.g. "old and new SAPIs", when the connections are reset, e.g. LLC, as disclosed in col. 2, lines 17-24), *the telecommunication network including: means for providing to the UE device a request to change to the new SAPI* ('means for sending request' in figure 12; col. 6, lines 1-6); *means for removing compressions from the old SAPI and means for providing compressions for the new SAPI* ('means for using old or new parameters'; col. 7, lines 50-61; wherein the means for flipping the change indicator bit 'C-bit' indicates the use of new/old parameters for different compression algorithms, e.g. "old/new SAPI"); *the method characterized by the network continuing to provide messages for the old SAPI after providing to the UE device the request to change to the new SAPI* (for example see figure 8; col. 6, lines 27-34) *and also providing the messages for the new SAPI* (for example see figure 8; col. 6, lines 35-38; col. 9, lines 19-23).

Art Unit: 2616

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to provide the old/new SAPI in the Suumäki's negotiation processes, with the motivation being to provide different connection end point identifiers in the LLC layer for different connections with different parameters disclosed in col. 3, lines 11-13; in order to change parameters during a connection through the XID/PDCP negotiation processes as disclosed in col. 3, lines 1-5.

- In regard to claim 10, in addition to features in base claim 9 (see rationales pertaining the rejection of base claim 9 discussed above), Suumäki further discloses about *a system, comprising a UE device* ('mobile station' in figure 2A, 'receiver device' in figure 12) *and a telecommunication network including a radio access network and providing GPRS* (figures 1A and 2A), *wherein the telecommunication network is as in claim 9.*

Response to Amendment/Arguments

4. Applicant's arguments filed on September 23rd, 2005 with respect to the amended claims 1, 5, and 8-9 have been considered but are moot in view of the new ground(s) of rejection.

Reasons For Allowance

5. Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2616

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Havinis, Theodore (U.S.6,219,557) and **Suumäki et al.** (U.S.6,968,190) are all cited to show devices and methods for improving the management connections in the GPRS telecommunication architectures, which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Art Unit: 2616

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan
April 5, 2006



CHI PHAM
EXAMINER IN CHARGE
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